



Patent
Attorney's Docket No. 032326-170

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Pierre BERTRAND) Group Art Unit: Unassigned
Application No.: 09/807,885) Examiner: Unassigned
Filed: November 13, 2001) Confirmation No.: Unassigned
For: METHOD FOR PRODUCING A)
CONTACTLESS CARD)

RENEWED PETITION UNDER 37 C.F.R. §1.47(b)

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Assistant Commissioner for Patents
Washington, D.C. 20231

JAN 08 2003

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Sir:

In response to the Decision dated September 6, 2002, Applicants hereby renew their Petition for acceptance of this application without a signed Declaration, on the grounds that the sole inventor is unavailable.

An initial Petition was filed on July 12, 2002, setting forth the facts pertaining to the Assignee's attempts to contact the inventor to obtain a signed Declaration, and his lack of response thereto. The Decision dated September 6, 2002 states that the evidence submitted with that Petition satisfies five of the six identified requirements of 37 C.F.R. §1.47(b). However, the Decision states that this evidence is not sufficient to satisfy the requirement for "factual proof that the inventors cannot be reached after diligent effort," (identified as Item 2) in the Decision. The basis for this holding is two-fold:

1. The letters sent on September 7, 2001 and March 22, 2002 showing diligent effort to contact the sole inventor (Exhibits A and C to the Declaration of Maguie Donnini) are in the French language, but did not have an accompanying English translation;
2. There was no documentary evidence that an internet search had been performed.

To address these issues, English translations of the letters dated September 7, 2001 and March 22, 2002 are being provided herewith. These letters confirm facts set forth in Paragraphs 2 and 3 of Mrs. Donnini's Declaration.

With respect to the second basis for dismissing the Petition, documentary evidence of the original search performed by Mrs. Donnini, described in paragraph 4 of her Declaration, is not currently available. Pursuant to the undersigned's telephone conversation with James Thompson following receipt of the Decision, Mrs. Donnini performed another search on the internet, in an effort to locate contact information for the inventor. A print-out of the results of that search is submitted herewith as Exhibit E. At the center of the page, the results state "Il n'y a pas de réponse", which in English means "No response has been found."

It is respectfully submitted that the supplementary evidence submitted with this Renewed Petition satisfies the outstanding final requirement of 37 C.F.R. §1.47(b). Accordingly, acceptance of the application without a signed Declaration is respectfully requested.

It is believed that no additional fee is required in connection with the filing of this Renewed Petition, since the fee required by 37 C.F.R. §1.17(h) was paid with the original

Application No. 09/807,885
Attorney's Docket No. 032326-170
Page 3

Petition filed July 12, 2002. If, however, an additional fee is required, the Commissioner is hereby authorized to charge the amount of such fee to the undersigned's Deposit Account No. 02-4800.

Respectfully submitted,

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Date: January 6, 2003

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